

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

NOT FOR PUBLICATION

WILLIAM BRABHAM, et al.

Plaintiff,

- versus -

MEGA TEMPERING & Glass Corp.,
IOANNIS ‘JOHN’ MARIOLIS and ABC
CORPORATIONS #1-10, Jointly and
Severally,

Defendants.

ORDER

13-CV-54(JG)

JOHN GLEESON, United States District Judge:

Magistrate Judge Scanlon issued a Report and Recommendation (“R&R”) on June 11, 2013 regarding plaintiffs’ motion to have this lawsuit conditionally certified as a collective action and asking for leave to issue a court-authorized notice to potential plaintiffs under the Fair Labor Standards Act. [ECF Nos. 9, 10, 11.] Any objection to the R&R was due no later than June 28, 2013. No objections have been filed.

There being no objection to the R&R, it is adopted. Therefore, the following rulings are ordered:

- 1) Plaintiffs’ motion for conditional certification of a collective action under the FLSA is granted;
- 2) Defendants’ motion regarding the notice term such that Plaintiffs must use a three-year notice term is granted;
- 3) Defendants’ motion that Plaintiffs’ notice may not use the word “class” is granted;
- 4) Defendants’ motion that Plaintiffs move the right-to-retain language to a different section is denied;
- 5) Defendants’ motion that Plaintiffs must edit the notice and consent forms so that consent forms are returnable to the Clerk of Court for the Eastern District of New York is granted;

- 6) Defendants are ordered to produce contact information for potential opt-in plaintiffs so that Plaintiffs know where to send notice;
- 7) The contact information for opt-in plaintiffs shall include the following: (a) potential opt-in plaintiffs' name, job title, address, dates of employment, and location of employment, and (b) potential opt-in plaintiff's email addresses and telephone numbers if Defendants have them;
- 8) Defendants' motion that they need not produce potential opt-in plaintiffs' birth dates and Social Security numbers is granted;
- 9) Defendants are ordered to make this production within fifteen days of the District Judge's adoption of this report, if the District Judge indeed adopts this report.

So ordered.

John Gleeson, U.S.D.J.

Dated: July 3, 2013
Brooklyn, New York